UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

IN RE: REALPAGE, INC., RENTAL SOFTWARE ANTITRUST LITIGATION))	Case No. 3:23-md-3071 MDL No. 3071
(NO. II))))	This Document Relates to: ALL CASES

MOTION FOR ENTRY OF STIPULATION AND ORDER CONCERNING CERTAIN MOTIONS TO DISMISS FOR LACK OF PERSONAL JURISDICTION

On June 20, 2023, Defendants identified particular defendants who intended to file motions to dismiss based on lack of personal jurisdiction or venue challenges. (*See* D.E. 297 at 6-7.)

Per the Court's June 22, 2023 Order (D.E. 298), Plaintiffs' Liaison Counsel conferred with counsel for those defendants. Following a productive conferral on June 30, Plaintiffs and certain of those defendants (the "Stipulating Defendants") have stipulated that (as to the Stipulating Defendants) deferring the issue of personal jurisdiction and venue for 180 days is warranted. Without waiving any of their respective arguments or objections, these parties believe that one or more of the issues regarding personal jurisdiction and/or venue may be resolved through further discussions and subsequent developments in this MDL proceeding, which might obviate the need for motion practice on these issues. Deferring consideration of these issues for 180 days would

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¹ These Stipulating Defendants are: Essex Property Trust, Inc. and Essex Management Corporation; Cortland Management, LLC; Equity Residential; Security Properties, Inc.; Rose Associates Inc.; ZRS Management, LLC; Thrive Communities Management, LLC; Mid-America Apartment Communities, Inc.; Prometheus Real Estate Group, Inc.; Sares Regis Group Commercial, Inc.; Morgan Properties Management Company, LLC and Morgan Properties, LP; Dayrise Residential, LLC; Independence Realty Trust, Inc.; Conti Capital; Kairoi Management, LLC; ConAm Management Corporation; Camden Property Trust; RPM Living, LLC; B/T Washington, LLC d/b/a Blanton Turner; Highmark Residential, LLC; Allied Orion Group, LLC; Windsor Property Management Company; Greystar Real Estate Partners, LLC; Lincoln Property Company; and Sherman Associates, Inc.

further the interests of judicial economy and conservation of resources. These parties would report back to the Court within 180 days either to (1) alert the Court that issues of personal jurisdiction and venue have been resolved as to the Stipulating Defendants; or (2) if not resolved in whole or in part, propose a briefing schedule for the Court to resolve any motions concerning personal jurisdiction and venue that any of the Stipulating Defendants intend to file.

For these reasons, Plaintiffs' Liaison Counsel respectfully request that the Court enter the Stipulation and [Proposed] Order attached hereto, which has been executed by Plaintiffs' Liaison Counsel and the Stipulating Defendants.² Plaintiffs' Counsel have conferred with the Stipulating Defendants, who consent to the relief requested in this Motion.

Dated: July 6, 2023

/s/ Tricia R. Herzfeld

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² As noted therein, entry of this Stipulation and [Proposed] Order does not affect – and is without prejudice to – the right, ability, and intention of any non-Stipulating Defendants to file a motion to dismiss for lack of personal jurisdiction as to any of the consolidated actions on July 7, 2023, or to any action not yet filed or transferred to the MDL proceedings as of today's date.

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Plaintiffs' Steering Committee Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld
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